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Subject: EPA Mid-Atlantic Region Headlines - Friday, April 18, 2014

EPA Mid-Atlantic Region Headlines

Friday, April 18, 2014

*** DAILY HOT LIST ***

Pa. coal emissions plan criticized as too lenient

PITTSBURGH POST-GAZETTE Pennsylvania's proposal to control smog-forming emissions from coal-fired power plants sets limits so lax that most of those facilities could continue to operate without the pollution controls they've already installed, just as they're doing now, according to two environmental organizations that have reviewed the rules. The Sierra Club and the Clean Air Council review found that the state's proposed rules for controlling emissions of nitrogen oxide and volatile organic compounds could be met now at 85 percent of coal-fired power plants in the state, including all of the larger power plants. The review also notes that Pennsylvania's proposed Reasonably Attainable Control Technology rules, known as RACT, are up to four times less stringent than similar pollution controls either already adopted or under consideration in Maryland, New York and Delaware. The new rules, formulated by the state Department of Environmental Protection, also propose technology that the groups say is inferior to the equipment at the majority of power plants in the state. And they say the rules would allow power companies to calculate their emissions limits based on longer-term averages from multiple facilities, a method that could produce higher emissions and "hot spots" of nitrogen oxide and volatile organic compounds. ... Cristina Fernandez, associate director of air program planning at the U. S. Environmental Protection Agency, said the DEP didn't made the draft regulations available for review by the agency prior to their publication. "We have not seen the regs. The state isn't required to show us the draft regs, and we've had no input," she said. "We have monthly calls, but if the state doesn't share the draft with us, we don't see it." Ms. Fernandez said the EPA expects to review and make comments on the proposal during the comment period, and the final-form regulation will be submitted to the agency.

4.6M children attend class near large chemical plants -- report

GREENWIRE Millions of U.S. children attend almost 10,000 schools that are within 1 mile of a large chemical facility, according to a report released yesterday by the advocacy group Center for Effective Government. The group produced an [online map](#) showing the locations of plants that are required to report to U.S. EPA's Risk Management Program and that are near schools. It found about 4.6 million children -- 10 percent of all school-age children in the country -- attend classes near the facilities. The map allows users to search for specific schools and zoom in on

local areas. The findings are "deeply troubling," the group's president and CEO, Katherine McFate, said in a statement. "Minority and low-income kids bear the greatest risks, but no one is immune from this danger," McFate said. The group said most of the children attending schools near chemical facilities are in California, Texas and Illinois, though about a third of children in North Dakota, Iowa and Nebraska attend a school within a mile of a chemical plant. The Center for Effective Government and other safety groups have sought to highlight schools as a way to build support for greater regulation of chemical facilities. In West, Texas, the West Fertilizer Co. storage facility that exploded one year ago today was adjacent to a middle school that was not in session at the time. Campus buildings were heavily damaged and remain unoccupied. A nearby nursing home and apartment complex were also damaged in the blast.

Alexandria apartment complex tests positive for asbestos

WJLA-TV WASHINGTON, DC ALEXANDRIA, Va. (WJLA) - Next to a picturesque view of the river, workers in Hazmat suits were busy cleaning up at the Hunting Point on the Potomac apartments. According to the EPA, several samples taken from the complex tested positive for asbestos fibers during renovation work. The trouble began back in January when the building owners began reconstructing the complex. During a series of inspections, the EPA says that the contractor hired to do the work failed to take the necessary precautions to keep asbestos particles from being released into the air. The agency then issued a rare "stop work order." Now, frustration has boiled over for residents who had no idea they were being exposed to dangerous levels of asbestos. Residents Stefanie Ackerman and her fiancé are new parents, and now they worry about potential long-term health implications for their three-month-old baby girl. "There's no telling, and from everything the EPA has told us, we just have to wait around for a decade or two to see if we get mesothelioma, and that's disturbing," said Stefanie. The EPA says the renovation company, Chelsea Environmental, improperly handled materials and did not follow safety standards. A new contractor has since been brought in, and there is a clean-up plan. But still, many are worried. "It's complete incompetence," said Bill Trumbour. "I Keep asking and they won't answer...How are they going to compensate us?"...The EPA is requiring the complex to sample certain apartments and areas where asbestos-containing materials were removed. The building says it has already conducted tests, but is still waiting for an interpretation of the results.

Editorial: A much loved coal showdown

CHARLESTON GAZETTE One of West Virginia's largest out-of-state coal owners is waging an all-out blitz against the "downright evil" Obama administration, the "myth" that carbon fumes can be stored underground and "false" evidence of global warming. Robert Murray, of Murray Energy Corporation — which recently bought five of West Virginia's largest mines and which funnels large sums to Republican politicians — furiously denounced Obama's "radical environmentalist, liberal elitist, Hollywood character, some unionist and other radical and irrational constituents." In a keynote address before the North Carolina Coal Institute April 2, the 74-year-old coal tycoon outlined three Murray lawsuits against the Obama administration: "First, we have filed a citizen suit to enforce the employment evaluation requirement under the Clean Air Act," which would make the U.S. Environmental Protection Agency weigh job losses caused by pollution controls, he said. "Secondly, we are filing a Data Quality Act challenge against the EPA. The agency has been disseminating false information about coal and global warming, which is illegal under the Data Quality Act. The EPA has failed to consider the

voluminous information indicating that their global warming scare tactics are absolutely baseless.” Later, he added: “There is no ‘global warming,’ as the Earth has actually experienced 17 consecutive years of global cooling.” “Thirdly, we are developing a pre-emptive challenge to the EPA’s greenhouse gas regulation for new and existing power plants. We have been joined in this litigation by two state attorneys general, and more are likely to respond to and assist in our efforts.”... Actually, the Central Appalachian coal industry is fading for simple economic reasons: depletion of rich seams and competition from low-cost gas and western coal. The retreat can’t be blamed on a fake bogeyman, a fictitious White House “war on coal.” This tirade draws a battle line for political warfare that will afflict West Virginia in coming elections — contests in which Murray presumably will continue to bankroll the GOP.

New report shows top lenders to coal companies

WEST VIRGINIA STATE JOURNAL A new report released April 17 tracks the financiers of coal companies. The report, "Extreme Investments, Extreme Consequences," was released by Rainforest Action Network, Sierra Club and BankTrack. Read the report [HERE](#). The report claims high-profile bankruptcies and costly environmental clean-up settlements illustrate the growing risks involved with lending to coal companies. According to the report, banks in the United States provided \$31 billion in financing for coal in 2013. The report ranks Citigroup as the top financier of the U.S. coal-fired power plant fleet with \$6.5 billion in loans and underwriting, and Barclays as the lead financier of mountaintop removal (MTR) coal mining. Meanwhile, Wells Fargo and JPMorgan Chase both committed to end their financial relationships with major MTR coal mining companies; both achieved the highest grade in the report card's five-year history. Goldman Sachs also received recognition for stepping away from the contentious Gateway Pacific Coal Export Terminal proposal in the ecologically sensitive Puget Sound. Citigroup, Bank of America, Morgan Stanley and PNC Financial all received lower grades than in 2013 for their continued financing of MTR. "The gap is widening between banks who have cut ties with extreme coal companies and those still holding on to those risky relationships," said Ben Collins, Campaigner for Rainforest Action Network's Energy and Finance Program "Leading banks are beginning to plan for a carbon constrained future by moving away from companies that contaminate public water supplies, threaten our climate, and increasingly put shareholders at risk. At this point any company still banking on coal has its head in the sand."

Bill to study effects of acidification in Bay passes

CECIL WHIG COLLEGE PARK — The General Assembly passed a bill recently that would create a task force to evaluate effects of acidification in the Chesapeake Bay and other state waters and make recommendations on how to address the issue. House Bill 118, which would form the task force and charge it to make recommendations by Jan. 1, 2015, passed with bipartisan support on Monday, the final day of the 2014 session. The state Department of Natural Resources would be required to provide staff to assist the task force. Gov. Martin O’Malley has not indicated whether he will sign the legislation, a spokesman said. The bill passed unanimously in the Senate, and the House of Delegates passed it 104-32. Delegate Eric Luedtke, D-Montgomery, the bill’s sponsor, said some House Republicans opposed the bill because it relates to climate change, which scientists have tied to increases in acid levels in global waters. As more carbon dioxide is released into the air, more is also absorbed into global waters, leading the

water to become more acidic. This could make it more difficult for sea life, including oysters, to grow. Luedtke hopes the task force will allow the state to begin developing policies to address potential issues related to acidification. "The state's been putting millions into oyster restoration, so it doesn't make sense to do that and not look into this issue," Luedtke said. "We need to start figuring out how we can best help watermen adapt." Some watermen said they were skeptical that the task force would help stave off acidification in the bay. "There's nothing a group of politicians comes up with that's going to end up helping us out. That's just the way it goes," Tim Devine, owner of Barren Island Oysters in Hoopers Island, said in February. "By the time it gets agreed upon, it doesn't do anything."

PENNSYLVANIA

PHILADELPHIA INQUIRER

Dreams continue of developing Flats in Coatesville In the center of Coatesville, the poorest community in a county flush with wealth, is an overgrown tract where development dreams blossom, then wither. People have proposed condos, a lumberyard, a power plant and a park. Most recently, plans for a velodrome - a cycling center billed as a breeding ground for Olympics stars - fizzled without funding. Now, the city is again seeking pitches for the property they call the Flats, and Chester County officials are watching closely. That's because Coatesville - showing signs of life after years of decline - is a rare urban center with room left to grow in one of the state's fastest growing counties. "We're not talking about a piece of farmland in rural western Chester County," said Ryan Costello, chair of the county commissioners. "It's the signature revitalization project that could potentially happen in this county."

Earth Festival to focus on fun, environment (NJ) CHERRY HILL Haiku, planting, and entertainment are just some of the offerings at the fifth annual Art Blooms in Cherry Hill Earth Festival on April 26. A family-friendly event at Croft Farm, the festival will feature more than 90 displays, vendors, and activities that will include student and professional music, healthy food, children's activities, seed planting, and poet-led haiku writing. There will be two- and nine-mile bicycle rides, with registration at 8 a.m. and the rides starting at 9. Helmets are required. Among the ecology-friendly activities will be recycling of electronics, shoes, sneakers, plastic bags, hangers and batteries; plant exchange and free compost pickup; crafts and other items made recycled goods for sale; and information-sharing on ways to conserve energy. Participants can bring food to donate to a food pantry. The Phillie Phanatic will make an appearance at about 1 p.m. Admission is free. The rain-or-shine event is put on by the township and Sustainable Cherry Hill. It marks the beginning of the annual Art Blooms in Cherry Hill, a juried art exhibit that runs through May 10 at the Cherry Hill Arts Center at the farm. Croft Farm is at 100 Bortons Mill Rd.

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Read more at

http://www.philly.com/philly/news/new_jersey/20140417_CAMDEN_COUNTY.html#04qUsrI6XsGQapVX.99

PITTSBURGH POST-GAZETTE

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Editorial: Deer Lakes drilling: Credit county officials for giving people a say Not everyone believes Allegheny County should let Range Resources drill for natural gas under Deer Lakes Park in Frazer and West Deer. Some think the chance for the county to earn millions of dollars from a gas sale is too good to pass up, while others fear the environmental risks are too great. One thing they should agree on, though, is that county officials are giving local residents, wherever they stand, plenty of opportunity to state their opinions. On Tuesday night, Allegheny County Council held a hearing expressly so the public could speak out. About 80 members of the audience took advantage, and they were divided on the proposal. That came after two other meetings — one last week by county council, at which dozens of people spoke, and one a week earlier that was hosted by County Executive Rich Fitzgerald, at which dozens were heard as well. Future council meetings will give the public more chances to state their views.

Letter: A gas severance tax would hurt landowners All the major Democratic candidates for governor are claiming a severance tax on the Marcellus drilling companies will generate hundreds of millions of dollars in tax revenues. But they either do not understand what they are advocating or they are willfully misleading people. Voters need to understand that a severance tax will not impact the hugely profitable companies at all. Because of a 2010 Pennsylvania Supreme Court ruling (*Kilmer v. Elexco*), such a tax will be considered a post-production cost of the companies and will be automatically deducted from landowner/lessor's royalties.

PITTSBURGH TRIBUNE REVIEW

Drilling fees should fund education, Democrats say HARRISBURG — Democrats running for governor seem to be competing to convince voters they will dip deepest into the pockets of gas drillers to replace \$1 billion that Gov. Tom Corbett has cut from education spending. All four candidates running for the party's nomination propose a severance tax on the value of natural gas pumped from each well. The candidates vary slightly in approach, but all say schools will be the beneficiaries. Pennsylvania now charges gas companies an impact fee of \$50,000 per well in the first year, which diminishes until it expires 15 years later. The fee is roughly equivalent to a 2 percent severance tax, according to an Independent Fiscal Office report, which is far less than the Democratic candidates say it should be. Corbett has steadfastly refused to support a severance tax, arguing that it would slow the gas drilling industry's growth. "Governor Corbett has worked to ensure we are safely and responsibly using our natural resources to reduce energy prices for families and small businesses, grow our economy and create family-sustaining jobs," said Corbett spokesman Billy Pitman. "Our liberal Democratic opponents have never seen a tax increase they didn't like and continue to prove their misguided tax-and-spend policies are out of touch with Pennsylvanians."

Officials in North Versailles fed up with littering North Versailles Township officials are fed up with people littering and treating the municipality like a garbage can. "It's a shame the litter that's on these roads," said board of commissioners vice president Frank Bivins at the board's meeting on Thursday. "We need to start fining people for all this litter that's thrown all over the place. It's costing this town plenty of money for us to send guys out there to continually pick up litter. They pick it up one week, and the next week it's right back," he said. Police Chief Vince DiCenzo said enforcing littering laws is difficult because perpetrators need to be seen tossing the garbage onto the streets in order for the right person to be cited. He did acknowledge that littering is a problem,

particularly around businesses. A lot of it is coming from the businesses, the Dumpsters and everything else,” DiCenzo said. “They’re talking about (litter) down along Greensburg Pike. We’ve had that problem there ever since Wal-Mart opened up because people load their cars up and let the bags blow all over the place. It’s not only a problem here. It’s a problem everywhere. People just need to pick up after themselves.” A person cited for littering could see a fine anywhere from \$25 to \$300, plus court costs.

Allegheny Township supervisors agree to rezone land for farming Allegheny Township supervisors on Thursday agreed to rezone about 48 acres of the Chovanes farm off Hyde Park Road, allowing it to continue to be ...

STATE IMPACT PENNSYLVANIA

Pa. drill rig manufacturer taking the 'rough' out of roughnecking As shale oil and gas production soars in states like Pennsylvania, Texas and North Dakota, the number of drill rigs towering over treetops is on the decline. Operators are becoming more efficient and advances in technology are driving other changes in oil and gas fields. Several hours away from where drillers are boring down into Pennsylvania’s Marcellus Shale, Schramm Inc. is manufacturing new rigs that, in the words of CEO Ed Breiner, “take the ‘rough’ out of roughnecking.” Schramm’s latest model – the T500XD – requires 40 percent fewer workers than a conventional rig. Last week, StateImpact Pennsylvania visited Schramm’s factory in West Chester, Pennsylvania to learn more about how technology is shaping the future of drilling jobs.

ALLENTOWN MORNING CALL

Allentown-suburbs sewer fee settlement nearly finalized The city has agreed to return about \$2.1 million paid by suburban communities since 2009. A settlement in a sewer billing dispute between Allentown and suburban communities is close to being finalized after two of the parties involved were expected to sign off on it Thursday night. Lower Macungie commissioners unanimously approved the agreement, which calls for the city to return about \$2.1 million to suburban users of its treatment plant for fees assessed between 2009 and 2013. Those communities protested the fees, which were kept in an escrow account during the dispute and settlement talks. Coplay Whitehall Sewer Authority was expected to take a similar vote Thursday night... The city, which takes in sewage from the suburbs and treats it at its Kline's Island treatment plant, previously said it increased fees because it wasn't being paid "appropriately" in recent years for the cost of a geographic information system, a 3-D mapping system used to gain information about such things as pipes and manholes. Allentown charges Lehigh County Authority for treating sewage. The authority, which has a sewage pipeline that runs through the western part of Lehigh County, passes on costs to municipalities connected to its western Lehigh interceptor.

BUTLER EAGLE

Letter: Let's clear the air Regarding the news story “People voice well worries” (April 8, page 1). XTO Energy has firsthand experience working with Butler County communities. Over the past few years, our company has managed a variety of operations safely and responsibly in 11 Butler County townships. Our Appalachian headquarters is based nearby. To date, however, no work has been done in Franklin Township, which may be why residents have questions about the oil and gas drilling process. We work hard to be responsive to community concerns, and to

answer any and all questions residents may have about our operations — including effects on air and water, which are understandable concerns. Just this month, on April 3, the Department of Environmental Protection released its annual report of natural gas drilling emissions inventory data. That report notes that since 2008, when unconventional drilling began here, conventional cumulative air contaminant emissions across the state have continued to decline. Sulfur dioxide and nitrogen oxide emissions from electric generating units, as well as particulate matter, have dropped significantly. DEP acknowledges the steady rise in the production and development of natural gas, and the greater use of cleaner-burning natural gas, are among the factors responsible for the decline.

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<http://www.butlereagle.com/article/20140417/EDITORIAL02/140419966/-1/Editorial#sthash.AC1fk4gZ.dpuf>

CRANBERRY EAGLE

Tempers flare at Middlesex Twp meeting MIDDLESEX TWP — Tempers flared on Wednesday night on both sides of the controversy regarding the placement of six Marcellus Shale gas wells near five Mars schools and a residential development. More than 150 people poured into the supervisors meeting, where about 75 percent cheered those who oppose the Bob and Kim Geyer wells on Denny Road. About 25 percent of those in attendance cheered those who told supervisors that taxpayers should be permitted to do what they want with their properties. At times the meeting became heated, with one group shouting speakers from the other group. Supervisors Chairman Mike Spreng made it clear before the public comment period that only taxpayers in the township would be allowed to speak. That rankled the group that opposes the wells due to safety concerns, because it precluded a presentation by attorney Jordan Yeager. Yeager is a Philadelphia attorney who was instrumental in the state Supreme Court’s overturning of the local zoning portion of Act 13, the state’s gas act. The group that opposes the Geyer wells brought Yeager to the meeting to convince the supervisors that they have the power to prohibit the wells because they would be an industrial use in a residential-agricultural zone.

ERIE TIMES-NEWS

Presque Isle proposes to pump its sewage off the park Raw sewage from Presque Isle State Park's

restrooms has been treated through on-site septic systems for about 30 years. But the park proposes to phase out that method -- as well as a park sewage plant -- as it moves toward connecting to the sewer system operated by the Millcreek Township Sewer Authority. The sewage would be collected by Millcreek's system, and sent to the city of Erie's wastewater treatment plant. The proposal is now in a 30-day public comment period, and before the project could proceed agreements must be signed with the Millcreek Township Sewer Authority for the connection and the Pennsylvania Department of Transportation, and possibly a condominium association, for rights of way, said Harry Leslie, the park's operations manager. The state Department of Environmental Protection also must approve a permit for the project, Leslie said. Leslie said there's nothing wrong with the 13 sand-mound septic systems on the state's most visited park. Leslie said the sand-mound system installed in the mid-1980s is not contributing to fecal coliform levels that sometimes force the closure of some swimming beaches. But he said the connection to Millcreek's system, at the foot of Peninsula Drive, will be more efficient, more economical and better for the environment, in part because the park's own sewage treatment plant won't be discharging into Presque Isle Bay. The park's sewage plant would be shut down when it's not needed any longer.

Volunteers to clean up Presque Isle on Saturday About 800 people are expected to help clean Presque Isle State Park on Saturday.

Operators of east Erie recycling facility charged The operators of an east Erie metal recycling business face a host of criminal charges after law enforcement officials accused them of committing criminal activities at the facility, including the illegal purchase of new and other materials and the improper handling of vehicle purchases. Frank M. Lasky, 48, president of Geosource Inc.; Que T. Lasky, 51, vice president of the business; and Kimberly L. Kern, 39, of Erie, who police said is a clerk at Geosource, were arraigned Wednesday on lengthy lists of criminal charges after an investigation by Erie police and Pennsylvania State Police that was launched in late October.

LANCASTER NEWSPAPERS

A united front against Central Penn pipeline By now, you've heard the cacophony of complaints from local environmentalists, land preservationists, landowners and ordinary citizens opposed to the Central Penn Line, the 35-mile natural gas pipeline project proposed for western Lancaster County. They complain that the proposal, part of a \$2 billion, 177-mile pipeline that would carry Marcellus Shale natural gas to markets other than Lancaster County, would cut a huge swath that would forever alter the hills and forests — including two nature preserves — along the Susquehanna River. They acknowledge that the “preferred route” would follow existing power-line corridors, at least the southern portion. But they point out it would make the corridors even wider and more grotesque-looking. They worry about the environmental impact of the project, in general, but also about the possibility of a catastrophic event that could take place from a natural gas leak. They also say an alternative exists, running the north-south pipeline through farmland at the other end of the county, where crops could still be planted. (Trees aren't permitted over buried gas lines.) Their concerns are well founded. The project, as it seems to be coming together, would be disastrous for bucolic Lancaster County and the Susquehanna River.

TOWANDA DAILY REVIEW

Editorial: Fighting pollution from coal Part of the reason that coal-generated electricity has been so cheap for so long is that the government never has assessed a cost on the industry for the horrendous air pollution that it creates. It's why some parts of Northeastern Pennsylvania still look like a lunar landscape more than a half century after anthracite's demise, why it's dangerous to eat fish from many of the Northeast's lakes and rivers, and why preventable air pollution continues to take a heavy toll on public health. Tuesday, the U.S. Court of Appeals for the District of Columbia upheld a new Environmental Protection Agency rule that, finally, will attack the worst pollution generated by coal-fired plants. The court ruled that the EPA's first rule on toxic emissions, including mercury, arsenic and acidic gases, is "substantively and procedurally valid." According to the EPA, mercury and air toxics rule will prevent 11,000 premature deaths, 4,700 heart attacks and 130,000 asthma attacks every year. The industry says those estimates are high, but it's hard to imagine a convincing argument to justify emissions that cause say, 75 percent of those estimates. The technology to comply with the rule already exists, and it already is in use on 70 percent of all coal-fired plants, according to the Energy Information Administration. So, the fight by the industry, with support from some state attorneys general, is to preserve the pollution "rights" of 30 percent of coal plants. Objecting states and the industry should forgo appeals and comply with the rule.

WASHINGTON, D.C.

WJLA-TV WASHINGTON, DC

Alexandria apartment complex tests positive for asbestos ALEXANDRIA, Va. (WJLA) - Next to a picturesque view of the river, workers in Hazmat suits were busy cleaning up at the Hunting Point on the Potomac apartments. According to the EPA, several samples taken from the complex tested positive for asbestos fibers during renovation work. The trouble began back in January when the building owners began reconstructing the complex. During a series of inspections, the EPA says that the contractor hired to do the work failed to take the necessary precautions to keep asbestos particles from being released into the air. The agency then issued a rare "stop work order." Now, frustration has boiled over for residents who had no idea they were being exposed to dangerous levels of asbestos. Residents Stefanie Ackerman and her fiancé are new parents, and now they worry about potential long-term health implications for their three-month-old baby girl. "There's no telling, and from everything the EPA has told us, we just have to wait around for a decade or two to see if we get mesothelioma, and that's disturbing," said Stefanie. The EPA says the renovation company, Chelsea Environmental, improperly handled materials and did not follow safety standards. A new contractor has since been brought in, and there is a clean-up plan. But still, many are worried. "It's complete incompetence," said Bill Trumbour. "I Keep asking and they won't answer...How are they going to compensate us?"...The EPA is requiring the complex to sample certain apartments and areas where asbestos-containing materials were removed. The building says it has already conducted tests, but is still waiting for an interpretation of the results.

DELAWARE

DELAWARE CAPE GAZETTE

Beau Biden to run for governor in 2016 Attorney General Joseph “Beau” Biden announced he will not seek another term as Delaware’s top lawyer in 2014 and will instead focus his energy on running for governor in 2016. In an email from Biden’s campaign office, Biden said, “Over the past few months, as I’ve been planning to run for reelection, I have also been giving a great deal of thought to running for governor in 2016. What started as a thought -- a very persistent thought -- has now become a course of action that I wish to pursue.” Biden said he concluded it was not right to ask for support for another term as attorney general while at the same time running as a candidate for governor. “Therefore, I am announcing today that I will not seek reelection as your Attorney General this November,” he said.

Public invited to Lewes tree planting April 25 honoring Mayor Ford Everyone is invited to join the Lewes Parks & Recreation Commission, along with the Mayor and City Council, to celebrate Arbor Day in the City of Lewes. The ceremony will take place in George HP Smith Park Friday, April 25, at 10 a.m. A tree will be dedicated in honor of Mayor James Ford III for his years of service as Mayor to the City of Lewes. Lewes was named a 2013 Tree City USA by the Arbor Day Foundation in ...

MIDDLETOWN TRANSCRIPT

Delaware Waterfowl, trout stamp contests set for April 24 Dover, Del. -- Wildlife art enthusiasts, stamp and print collectors and others will gather at 9 a.m. April 24 at the Delaware Agriculture Museum and Village, 866 N. Dupont Highway, Dover, for the judging of Delaware’s annual Waterfowl Stamp and Trout Stamp contests. The winning artwork will be reproduced on a stamp which must be carried by most waterfowl hunters. Waterfowl stamps are also purchased by collectors and other conservation-minded citizens. The artwork chosen for the 2015 stamp must include the native black duck with ducklings in a Delaware Bayshore Region habitat as the background. A limited number of prints sold will be signed by the governor. For more information: fw.delaware.gov.

WEST VIRGINIA

CHARLESTON GAZETTE

Editorial: A much loved coal showdown One of West Virginia’s largest out-of-state coal owners is waging an all-out blitz against the “downright evil” Obama administration, the “myth” that carbon fumes can be stored underground and “false” evidence of global warming. Robert Murray, of Murray Energy Corporation — which recently bought five of West Virginia’s largest mines and which funnels large sums to Republican politicians — furiously denounced Obama’s “radical environmentalist, liberal elitist, Hollywood character, some unionist and other radical and irrational constituents.” In a keynote address before the North Carolina Coal Institute April 2, the 74-year-old coal tycoon outlined three Murray lawsuits against the Obama administration: “First, we have filed a citizen suit to enforce the employment evaluation requirement under the

Clean Air Act,” which would make the U.S. Environmental Protection Agency weigh job losses caused by pollution controls, he said. “Secondly, we are filing a Data Quality Act challenge against the EPA. The agency has been disseminating false information about coal and global warming, which is illegal under the Data Quality Act. The EPA has failed to consider the voluminous information indicating that their global warming scare tactics are absolutely baseless.” Later, he added: “There is no ‘global warming,’ as the Earth has actually experienced 17 consecutive years of global cooling.” “Thirdly, we are developing a pre-emptive challenge to the EPA’s greenhouse gas regulation for new and existing power plants. We have been joined in this litigation by two state attorneys general, and more are likely to respond to and assist in our efforts.”... Actually, the Central Appalachian coal industry is fading for simple economic reasons: depletion of rich seams and competition from low-cost gas and western coal. The retreat can’t be blamed on a fake bogeyman, a fictitious White House “war on coal.” This tirade draws a battle line for political warfare that will afflict West Virginia in coming elections — contests in which Murray presumably will continue to bankroll the GOP.

Expanded tourism campaign aimed at countering chem spill publicity A \$1.2 million cash infusion announced Thursday will more than double the Division of Tourism’s spring advertising campaign budget, in hopes of offsetting negative publicity from the Jan. 9 chemical leak in the Elk River. “We acknowledge we need to be pro-active in looking toward our image and our ability to market ourselves, especially in this region of the country,” Commerce Secretary Keith Burdette said in announcing the additional funding. “This is a necessary effort on our part. It is certainly something that has to be a priority,” Burdette told the state Tourism Commission Thursday. Previously, the division had a budget of only \$1 million for its spring marketing campaign, which begins Monday. Tom Crooks of the Stonewall Group said the limited effort would consist primarily of cable TV ads running mainly in Washington, D.C., and Pittsburgh. On Thursday, Crooks said the additional funding will allow the ad campaign to expand into Cincinnati, Cleveland and Columbus, and to include radio ads in Greensboro, N.C.; Lexington, Ky., and Richmond and Roanoke, Va., among other markets. It also will allow ads to run more frequently in each market. “The more times people hear and see our message, the more they’re inclined to consider West Virginia as a destination,” he said.

Freedom’s lawyers, advisers want \$1.8M Freedom Industries might be bankrupt, but its lawyers expect to get paid. Within the past week, Freedom Industries’ assemblage of lawyers, consultants and advisers have submitted bills requesting more than \$1.8 million from the dying company. Freedom, the company whose faulty chemical tank contaminated the region’s drinking water in January, is represented by four law firms. It has a bankruptcy counsel, a co-counsel and special-conflicts counsel, a special counsel and a special environmental counsel. It also has a financial adviser and a special environmental consultant, which is developing the plans to clean up its site along the Elk River in Charleston. Also on the Freedom payroll is another law firm, which represents some of Freedom’s bankruptcy adversaries — unsecured creditors, the people and companies at the bottom of the list when it comes time for Freedom to pay back its debts. All the plaintiffs in the more than 60 lawsuits filed against Freedom are unsecured creditors. Their lawsuits are mostly on hold while Freedom goes through bankruptcy. More than half of those lawsuits have dropped Freedom as a defendant, predicting that the company will have little money left coming out of bankruptcy, and are now suing only West Virginia American Water. “Whatever money there is going to be is going to come from the claims process, and that’s what

you're going to recover from Freedom," Anthony Majestro, a Charleston attorney who dropped Freedom from his lawsuit, previously told the Gazette. "It's unlikely there's ever going to be any litigation."

Manchin says he's keeping 2016 options open Sen. Joe Manchin, D-W.Va., said Thursday that he's keeping his political options open for 2016, even though his U.S. Senate term doesn't end until two years after that. The West Virginia Governor's Office — as well as other state and national offices — will be open that year. Manchin served one term and part of a second term as governor before leaving for the Senate, and rumors have been circulating that he might consider another run in 2016. On Thursday, a statement from Manchin's communications director, Jonathan Kott, didn't do anything to quash those rumors. "Senator Manchin loved being governor of West Virginia, and has made no secret of his frustration with the partisan gridlock and dysfunction of Washington," Kott said in the statement. "He is fully committed to his job as senator and fights every day to improve the lives of the people he is honored to represent. "Senator Manchin is leaving all his options open for 2016, and will continue to look for the best way to bring common sense to Washington," Kott said. Manchin was first elected to the Senate in a special election in November 2010, after the death of longtime Sen. Robert C. Byrd, also D-W.Va., earlier that year. As governor, Manchin appointed his legal adviser, Carte Goodwin, to temporarily hold the seat until the special election was held.

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- See more at:

<http://wvgazette.com/article/20140417/ARTICLE/140419345/1103#sthash.RVFy1bY7.dpuf>

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CHARLESTON DAILY MAIL

Freedom president Gary Southern pulls case A federal bankruptcy judge has canceled a Friday hearing in the Freedom Industries case, finding company President Gary Southern has withdrawn all claims for compensation. Earlier this month, Southern filed court documents saying he no longer wished to get paid. However, the court determined that motion only applied to the first part of an earlier filing, in which he sought pay for his work during Freedom’s bankruptcy proceedings. The court set an April 18 hearing to take up the second part of his application, which sought payment for his legal expenses. Southern’s attorney, Steven Thomas, filed another document Wednesday saying Southern is withdrawing the entire claim, not just the part relating to compensation. Judge Ronald Pearson then accepted the withdrawal and canceled the hearing. The company at the heart of the January chemical leak also filed its March operating report. The report noted the company’s expenses for last month totaled \$3,009,663.84, and total cash profits were \$691,440.77. The company also has reduced staff by nearly half, from 51 employees to 24. Raw materials cost Freedom \$938,502.16. Environmental expenses were \$873,237.53. The company spent \$42,555 on environmental remediation, according to the report.

WEST VIRGINIA STATE JOURNAL

New report shows top lenders to coal companies A new report released April 17 tracks the financiers of coal companies. The report, "Extreme Investments, Extreme Consequences," was released by Rainforest Action Network, Sierra Club and BankTrack. Read the report [HERE](#). The report claims high-profile bankruptcies and costly environmental clean-up settlements illustrate the growing risks involved with lending to coal companies. According to the report, banks in the United States provided \$31 billion in financing for coal in 2013. The report ranks Citigroup as the top financier of the U.S. coal-fired power plant fleet with \$6.5 billion in loans and underwriting, and Barclays as the lead financier of mountaintop removal (MTR) coal mining. Meanwhile, Wells Fargo and JPMorgan Chase both committed to end their financial relationships with major MTR coal mining companies; both achieved the highest grade in the report card's five-year history. Goldman Sachs also received recognition for stepping away from the contentious Gateway Pacific Coal Export Terminal proposal in the ecologically sensitive Puget Sound. Citigroup, Bank of America, Morgan Stanley and PNC Financial all received lower grades than in 2013 for their continued financing of MTR. "The gap is widening between

banks who have cut ties with extreme coal companies and those still holding on to those risky relationships," said Ben Collins, Campaigner for Rainforest Action Network's Energy and Finance Program "Leading banks are beginning to plan for a carbon constrained future by moving away from companies that contaminate public water supplies, threaten our climate, and increasingly put shareholders at risk. At this point any company still banking on coal has its head in the sand."

WHEELING INTELLIGENCER

Drillers Resume Pipeline Activity MOUNDSVILLE - Natural gas drillers who saw production levels drop after the April 5 Williams Energy 12-inch pipeline blast in Marshall County should be able to resume full production, according to company spokeswoman Helen Humphreys. "Williams' customers are no longer impacted by the breach. We continue to assess the cause," Humphreys said. Gastar Exploration is one of several drillers for whom Williams processes and transports natural gas drawn in Marshall County, with others including Chesapeake Energy, Chevron, Stone Energy, Noble Energy and Trans Energy. Most of Gastar's operations are in the southwestern portion of the county, as the driller fracks wells just up the hill from the Axiall Corp. plant along W.Va. 2.

MARYLAND

BAY.NET

Watershed study shows slowing degradation For the past 26 years the University of Maryland Center for Environmental Science, Chesapeake Biological Laboratory (CBL) has conducted a watershed study for Calvert County Government. The water quality survey was initiated due to the rapid growth in marinas and residential dwellings in the county. Originally called the Solomons Harbor Water Quality Study, the probe was renamed the Mill Creek Water Quality Study and this year was listed on the county commissioners' April 15 agenda as the "Tidal Creeks Water Quality Study." The study has expanded a few times in its history to include three, and later six creeks draining into the Lower Patuxent River; and in 2011 three additional creeks on the Chesapeake Bay side of the county were added. The CBL's proposal calls for the monitoring of Mill Creek from mid-May to mid-September, while the monitoring of the other 10 creeks takes place in June, July and August. During this year's report to the county commissioners, the CBL's Dr. Walter Boynton announced he is passing his title of lead investigator on to his colleague Dr. Lora Harris. In summarizing the CBL's report, Calvert County Department of Community Planning and Building Principal Environmental Planner Dr. David Brownlee stated, "the most important water quality parameters—chlorophyll-a and oxygen—in the Mill Creek system appears to be negative but the degradation rate is slow." Boynton presented a series of charts showing the data culled from the months of monitoring and along the way offered some optimistic news. He noted that while Maryland waterway locations saw a spike in non-cholera vibrio in 2013, it was "not so in Calvert." The county reported no cases of the scourge, which Boynton described as "limb-threatening and life-threatening."

CARROLL COUNTY TIMES

Volunteer help sought for planting trees Earth Day may be Tuesday, but Gravel Springs Farm in

Union Bridge is hoping area residents will still want to celebrate on April 26 by helping to plant 1,200 trees on some conservation area at the farm. This is the second volunteer-based tree planting at the farm since the fall, with the trees and event coordination being provided by the Chesapeake Bay Foundation. Paul Sorenson, owner of Gravel Springs Farm, said he learned about the opportunity through Ron Schnable, a restoration scientist with the Chesapeake Bay Foundation, whom he met through the Maryland Grazers Network and Future Harvest, a Chesapeake Alliance for Sustainable Agriculture. Currently the farm grows organic vegetables and has free-range chickens for egg production, but the Sorensons are planning to add grass-fed beef cattle and pastured pigs to the farm. Sorenson said he joined the two organizations looking for guidance on how to improve his pastures so the animals could graze off the land, receiving harvested feed only as a supplement instead of their main food. Schnable and a mentor farmer from Frederick County visited Gravel Springs Farm and suggested that Sorenson retire some of the poor-growing pasture lands on his farm into conservation land planted with trees, particularly since some of these areas were a wetlands. "It seemed like a good fit for us because we had this marginal land that was not great crop land, and it's also a critical waterway area," Sorenson said.

CECIL WHIG

Bill to study effects of acidification in Bay passes COLLEGE PARK — The General Assembly passed a bill recently that would create a task force to evaluate effects of acidification in the Chesapeake Bay and other state waters and make recommendations on how to address the issue. House Bill 118, which would form the task force and charge it to make recommendations by Jan. 1, 2015, passed with bipartisan support on Monday, the final day of the 2014 session. The state Department of Natural Resources would be required to provide staff to assist the task force. Gov. Martin O'Malley has not indicated whether he will sign the legislation, a spokesman said. The bill passed unanimously in the Senate, and the House of Delegates passed it 104-32. Delegate Eric Luedtke, D-Montgomery, the bill's sponsor, said some House Republicans opposed the bill because it relates to climate change, which scientists have tied to increases in acid levels in global waters. As more carbon dioxide is released into the air, more is also absorbed into global waters, leading the water to become more acidic. This could make it more difficult for sea life, including oysters, to grow. Luedtke hopes the task force will allow the state to begin developing policies to address potential issues related to acidification. "The state's been putting millions into oyster restoration, so it doesn't make sense to do that and not look into this issue," Luedtke said. "We need to start figuring out how we can best help watermen adapt." Some watermen said they were skeptical that the task force would help stave off acidification in the bay. "There's nothing a group of politicians comes up with that's going to end up helping us out. That's just the way it goes," Tim Devine, owner of Barren Island Oysters in Hoopers Island, said in February. "By the time it gets agreed upon, it doesn't do anything."

Bill passes to create development guidelines for sea level rise COLLEGE PARK — The Maryland General Assembly passed a bill April 5 to create a council charged with minimizing the impact of sea level rise on new state buildings. House Bill 615 would establish the council and task it with establishing guidelines for how future state development and renovation projects can avoid damage from rising sea levels and flooding. All new state buildings and renovations would be expected to meet the criteria the council establishes. The bill follows an executive order Gov. Martin O'Malley signed in December 2012 that required new state development and renovations to consider the risk of coastal flooding and sea level rise and "site and design State

structures to avoid or minimize associated impacts,” according to the text of the executive order. It is very likely that O’Malley will sign the bill, said Nina Smith, a spokeswoman for O’Malley. The bill is meant to give the executive order “the force of law,” Rich Norling, legislative director for the Maryland Department of Natural Resources, said in an email interview. The bill will only affect state development because it is designed after the executive order, he said, which does not include development by local governments or private developers. Relative sea level rise, which takes both rising sea levels and sinking land into account, averaged 3.9 millimeters per year, according to U.S. Geological Survey data collected from four stations in the southern Chesapeake Bay until 2006. The global average sea level rise is 1.8 millimeters per year, according to a USGS report released in December.

Project Clean Stream removes 14 tons of garbage in county GEORGETOWN — The Sassafra River Association — aided by more than 160 volunteers over several days, removed nearly 14 tons of garbage from the watershed recently. Mount Harmon in Earleville and Ward's Hill Road in Warwick were among the targets of Project Clean Stream on the Cecil County side of the river. Over the course of several weeks, Project Clean Stream events were held all over the Chesapeake Bay Watershed in an effort headed by the Alliance for the Chesapeake Bay. Across 10 sites in Cecil County, almost 100 volunteers removed tires, exhaust pipes, crab traps, treated lumber, old fishing nets, inflatable tubes and too many bottles and cans to count. While the bulk of the events were held in March and early April, Project Clean Stream will continue through May so there is still time to get involved. Go online to cleanstream.allianceforthebay.org/ to find out more. Sophie Foscue, Sassafra River Association outreach coordinator, said much of the weight accounted for items that should be recycled. "It was a lot of tires and just a lot of trash," she said. "One of the sites had three truck loads." Project Stream Clean had arrangements with landfills to accept the trash without fees charged. Foscue said that several of the sites recorded that 3,000 pounds of debris were hauled away.

EASTON STAR DEMOCRAT

New environmental campaign aims to educate local candidates EASTON — The Chesapeake Bay Foundation on Monday, April 14, launched a new campaign and partnership with 12 Eastern Shore and regional conservation groups to educate candidates for local office and the public about necessary steps toward clean water on the Shore. The partnership urges Eastern Shore voters and the general public to actively support five proven, cost-effective actions to help make waters clean and more healthy. “Everyone we talk to around the Eastern Shore is clamoring for cleaner creeks and rivers, for increased seafood harvests and jobs, and the necessary actions by elected officials to get the job done,” Alan Girard, CBF’s Eastern Shore director, said in a press release. “We intend to harness that energy to educate candidates for local office.” The five actions outlined in the campaign are:

- Support each county’s team for clean water
- Invest local dollars to fix polluted runoff
- Stop pollution from fertilizer
- Curb poorly managed growth

- Report progress

Midshore Riverkeeper Conservancy is one of the partners in this campaign. MRC Executive Director Tim Junkin said the quality of rivers and environment is essential to the quality of life on the Shore. "This is a very special place. I think the beauty and the health of the rivers and the land is a quintessential part of why people want to be here and why people want to live here," Junkin said. "This is where we live. We've got to take care of it." Junkin said the five actions should be a top priority for anyone running for office. Beth Anne Lynch, executive director of Dorchester Citizens for Planned Growth, another partner in the campaign, said clean water is both a public health and an economic issue. Each county has a Watershed Implementation Plan that highlights different activities and actions that the county can take to reduce pollution. Some counties have adopted the plan, some haven't. Lynch said Dorchester County hasn't adopted it yet.

SOUTHERN MARYLAND NEWS

Watershed study shows slowing degradation For the past 26 years the University of Maryland Center for Environmental Science, Chesapeake Biological Laboratory (CBL) has conducted a watershed study for Calvert County Government. The water quality survey was initiated due to the rapid growth in marinas and residential dwellings in the county. Originally called the Solomons Harbor Water Quality Study, the probe was renamed the Mill Creek Water Quality Study and this year was listed on the county commissioners' April 15 agenda as the "Tidal Creeks Water Quality Study." The study has expanded a few times in its history to include three, and later six creeks draining into the Lower Patuxent River; and in 2011 three additional creeks on the Chesapeake Bay side of the county were added. The CBL's proposal calls for the monitoring of Mill Creek from mid-May to mid-September, while the monitoring of the other 10 creeks takes place in June, July and August. During this year's report to the county commissioners, the CBL's Dr. Walter Boynton announced he is passing his title of lead investigator on to his colleague Dr. Lora Harris. In summarizing the CBL's report, Calvert County Department of Community Planning and Building Principal Environmental Planner Dr. David Brownlee stated, "the most important water quality parameters—chlorophyll-a and oxygen—in the Mill Creek system appears to be negative but the degradation rate is slow." Boynton presented a series of charts showing the data culled from the months of monitoring and along the way offered some optimistic news. He noted that while Maryland waterway locations saw a spike in non-cholera vibrio in 2013, it was "not so in Calvert." The county reported no cases of the scourge, which Boynton described as "limb-threatening and life-threatening." Boynton also commended the Southern Maryland Oyster Cultivation (SMOC) project participants for their work in oyster reef restoration, calling the project "a very positive effort. I give this effort high grades."

State offers grants to help farmers fight runoff The Board of Public Works today approved \$615,683 in Agricultural Water Quality Cost-Share grants, which help farmers install best management practices that significantly reduce nutrient runoff in the Chesapeake Bay Watershed and accelerate Bay restoration. The O'Malley-Brown Administration has supported more farmer pollution reduction projects cost-share program than any other administration in the nearly three decades since the program began. The Board approved grants for 20 projects in eight counties that will prevent soil erosion, manage nutrient pollution and safeguard water quality in streams,

rivers and the Chesapeake Bay. Together, these projects will prevent 3518.18 pounds of nitrogen, 634.79 pounds of phosphorus, and 253.9 tons of soil from entering the Bay and its tributaries. These projects are funded by state general obligation bonds. "Our farmers are true partners in protecting our natural resources, and Maryland continues to support their efforts by providing grants to install proven conservation measures and innovative, state-of-the-art practices," said Lt. Governor Anthony Brown, who represented Governor O'Malley at today's meeting. "Working together, we can ensure a smart, green and growing environment for future generations, preserve open space, and maintain the rich agricultural heritage of our State." For the past 28 years, the Maryland Agricultural Water Quality Cost-Share (MACS) Program has been providing farmers with grants to cover up to 87.5 percent of the cost to install conservation measures known as best management practices (BMPs) on their farms to prevent soil erosion, manage nutrients and safeguard water quality in streams, rivers and the Chesapeake Bay. Since the program started in 1984, farmers have installed 21,900 water quality projects. The average lifespan of a BMP is 10 to 15 years. Over the last 15 years, farmers spent \$15.8 million of their own money to match \$72.8 million in state cost share to install more than 10,800 water quality projects (not including annual practices like planting cover crops). Installation of agricultural BMPs on farmland is a key feature of Maryland's recent plan submitted to the U.S. Environmental Protection Agency to reduce nutrient pollution in the Chesapeake Bay watershed.

Dominion concerns dominate Calvert County commissioners' meeting Even though just one item on the agenda for the Calvert County Board of County Commissioners meeting Tuesday explicitly dealt with the possible expansion of Dominion Cove Point, the issue ended up dominating much of the three-hour meeting. During the designated public comments portion of the meeting, residents expressed concern and frustration about the safety of the plant, the effects on water and sewage, water supply and more. Lusby resident Tammy Vitale said Lusby is a populated area, and the only other liquefied natural gas exportation plant currently approved in the U.S. is being built in a remote area. She questioned the safety of the Lusby area during emergency situations. "Imagine the possibility of balls of flame and families in houses that have no escape route other than by the plant itself," Vitale said. Vitale went beyond the allotted five minutes per speaker, touching on radon, the strain on the aquifers, the effects the offsite area will have on tourism in Solomons and more. Nearly 30 seconds after the timer beeped, signaling the end of her time to comment, Vitale finished by expressing her frustration to the commissioners. "Imagine my going over your arbitrary five minutes," Vitale said. "Because you have ignored us, so I should ignore you." Eileen Hadley of Lusby questioned why much-needed improvements on Cove Point Road didn't happen until now, when Dominion needed them. She said she had been complaining about the road and its need for sidewalks for years. "Hopefully, it will not be used for the purpose they hope it will be," she said, referring to the expansion. "Dominion and the road that's being done now happened very fast." Hadley also mentioned her concern about the effects of the expansion on water supply.

DNR hoping to control invasive catfish species The Maryland Department of Natural Resources is pulling out all the stops hoping it can control a pair of invasive species in local waters. The flathead catfish and blue catfish, which were introduced to Maryland waters by sport fishermen from the Mississippi, Ohio and Missouri River basins in the 1970s, are destroying many native species because of their huge appetites. "[They eat] a lot of things that Marylanders in the Chesapeake Bay region grew up fishing and relying upon, and this is what the concern is," said

Frank Dawson, secretary of the Maryland DNR, at a media event last week at Smallwood State Park in Marbury. “We’re concerned that these new fish in the bay region that are spreading are going to start having a negative impact on these valuable resources that people rely upon for commercial purposes, recreational purposes or even play an important ecological role. We have a problem here.” The flathead and blue catfish are anadromous — they are able to live in fresh or salt water — and can be found throughout the Potomac River, the Patuxent River up to Jug Bay and Allen’s Fresh. There is no evidence of the fish in St. Mary’s Lake. DNR is hoping to control the situation by placing posters at popular fishing areas throughout the state, adding the two species to the 2014 Maryland Fishing Challenge and fining violators who transport the species to other bodies of water up to \$1,000.

Public Meeting to Discuss Sewage Sludge May 12 The Charles County Board of Commissioners encourages interested residents to attend an informational meeting, Monday, May 12 from 6 p.m. to 8 p.m. at Malcolm Elementary School (14760 Poplar Hill Road, Waldorf). This meeting is hosted by Synagro, a biosolids and organic residuals recycler. The purpose of this meeting is to discuss sewage sludge utilization permit 2010-SRC-5574 and a plan of action that will address citizen concerns.

CHESAPEAKE BAY JOURNAL

Public access authorities preserving coastal access in VA State Road 110 in Gloucester County ends in a small parking lot, crowded in between modest homes to one side and Belvins Seafood warehouse on the other. There’s parking for eight cars, a boat ramp and a commercial wharf that’s recently been expanded to accommodate up to 15 boats. On a cold and overcast February afternoon, this road ending — and the pier beyond — seemed unremarkable, blending into a gray landscape and the watery horizon a half mile beyond where the Perrin River empties into the York River. But coastal planner Harrison Breese, from the Middle Peninsula Planning District Commission, noted that the wharf is one of nine acquisitions by a unique public access authority that is working to slow the loss of commercial waterfronts and public access on the peninsula, which has more than 1,200 miles of shoreline.

Will oyster aquaculture clean up the Potomac? Not so fast A recent study has some folks thinking that oyster aquaculture could be the solution for nitrogen pollution in the Bay. A study recently produced by scientists from the National Oceanic and Atmospheric Administration and the U.S. Geological Survey suggests that significant water quality improvements could be made in the tidal Potomac River through widespread oyster aquaculture which, they argue, would remove large amounts of nitrogen. But the study is a modeling exercise, and there is actually little real-world data to support the conclusion. In fact, two panels of scientists have explored the nitrogen removal potential of oyster restoration and aquaculture in the last couple of years. Both concluded it was premature to bank on oysters producing large nitrogen reductions. Oysters can filter large amounts of water, but they absorb relatively small amounts of the nutrient in their shells and flesh. The rest is excreted back into the water. Oyster reef communities also have the potential to remove the nutrient through denitrification — the process through which nitrogen is converted to a harmless gas.

Oyster restoration at Harris Creek showing real promise Hidden under the surface of Maryland’s Harris Creek is what looks like — at least for now — one of the Bay’s greatest successes. It is,

unfortunately, one that hardly anyone can see. Work completed through the end of last year restored 188.6 acres of oyster reef habitat on the bottom of the Choptank River tributary, most of it in places more than 6 feet deep. That's already made it more than twice the size of any sanctuary-based oyster restoration previously undertaken around the Bay. Yet another 85 acres of new reef construction is under contract — some is already under way — for this year.

Blog: Tadpole Mom I used to have a recurring dream that I had a dog and it died. I'd wake up in sweats, worried and shaking. How could I have neglected my dog? But I've never had a dog. Never had a pet, actually. My parents had four kids and my dad considered a dog a waste of money. Once a year, we'd get a goldfish from a carnival and it would die. That was it. No hamster, no gerbils, no bunnies, no kittens. Later, when we moved out, my parents built a fish pond that remains to this day. I guess they figured the fish didn't suck up too much money. And fish food is cheap compared to college tuition. As a parent, my own stance on pets is more nuanced. I'm not ready for a dog, but I try to let my older daughter follow her interests. She loves nature, and the small animals she finds in it. We've raised ladybugs, mealworms and butterflies, and we're getting ready to raise some praying mantises. Even if these ventures are a bit of work forme, it's worth it to see the wonder on her face as the insects metamorphose. When she grows up, she says, she wants to be a bug scientist.

VIRGINIA

RICHMOND TIMES-DISPATCH

About 200 fish turn up dead at Fountain Lake; water quality found poor Adolph Anderson was aimlessly dipping an empty fishhook into Fountain Lake at Byrd Park on Wednesday afternoon when a man excitedly pointed out a massive carp swimming nearby. Anderson politely informed the man that he had no interest in fishing at Fountain Lake after what he had just seen. The lake was littered with about 200 dead fish. "Great doggy!" said Edwin Ruffin, another visitor to the lake on Wednesday, after he saw several dozen dead fish. "That's gross. Wow. You can even smell that odor now. ... Somebody needs to look into this." Bill Hayden, a spokesman for the state Department of Environmental Quality, said the agency learned about the fish kill Wednesday afternoon and sent a biologist to check. The biologist found poor water quality in the lake, including an abundance of algae that might have proliferated during recent warm days, Hayden said. Large amounts of thick, green algae had accumulated near the edges of the lake, as well as what appeared to be pollen. About 200 bluegills died, Hayden said. The specific cause of the fish kill wasn't clear, but there was no indication of a spill or toxic-chemical problem, which probably would have killed more than one species, Hayden said. Parkgoer Sheila Luellen said Wednesday that she was concerned about the health of the park. She was among several people who stopped to look at the dead fish and speculated about what might have gone wrong.

NEWPORT NEWS DAILY PRESS

First Newport News City Council forum focuses on coal dust NEWPORT NEWS — Environmental efforts, recycling and sustainable practices dominated the first of three forums for Newport News City Council candidates. The event, sponsored by the Sierra Club-York River group, also rekindled a long-running debate about the issue of the city's two coal export piers,

located on the James River across a highway from the city's Southeast Community. Mayor McKinley Price, who is running unopposed, said strides have been taken to reduce the dust coming off the coal stockpiles at the side-by-side facilities, owned by Kinder Morgan and Dominion Terminal Associates. But he said, "we need to look at filter screens so on the windy days it decreases the amount of pollution that comes across the highway." Councilman Bert Bateman, who's also unopposed, said both pier operators are good employers. He said since they began spraying their piles, the dust has decreased. Still, he said, the city needs to examine a study in the works on the dust coming off open train cars that carry coal. Moderators of the event weren't sticklers for procedures, and at several points, audience members simply began asking the council hopefuls questions directly. But each candidate in attendance had a chance to weigh in on coal dust. And there was considerable confusion among the rest of the them as to whether the city is studying its effects. Cleve Mabry, one of five South District candidates, said "it's obvious coal dust has been a problem for a long, long time." But Mabry said he wanted to see an ongoing study before taking a policy position in regards to the piers. Teunsha Vick, too, said "the city is conducting studies now on the coal dust," adding that she would want to take action based on its result. Cheryl Holmes Abbott responded that she is unaware of any Newport News-specific coal dust study. Abbott, who works for a Louisville, Ky.-based health insurance company, said the Southeast Community is particularly hard hit by asthma, which has been tied to certain types of airborne pollutants.

James River Coal wants to auction off business in July Richmond-based James River Coal Co. intends to sell parts or all of its business at an auction on July 8. The company filed for Chapter 11 bankruptcy protection on April 7, saying it could no longer sustain its debt load after a steep decline in prices and demand for the coal it mines in the central Appalachian region. James River Coal, which is continuing operations under bankruptcy court oversight, has been working with advisers for three months to find potential buyers for its business or to obtain a capital investment. The company is seeking preliminary indications of interest by May 22, with a bidding deadline of June 30, according to filings with the U.S. Bankruptcy Court in Richmond. The auction would be July 8, with a sale hearing in court on July 11. Also this week, James River Coal said it has an official unsecured creditors' committee with five members. The committee includes the Pension Benefit Guaranty Corp. and U.S. Bank NA, as indenture trustee for holders of senior unsecured notes. Three trade creditors round out the panel, whose formation was announced Tuesday by the U.S. Trustee, delegated by the Justice Department to create committees. James River Coal is in its second Chapter 11 case. The prior bankruptcy ended with a confirmed reorganization plan in April 2004. The company has interim authority to borrow \$80 million, with Cantor Fitzgerald as agent. The entire \$110 million loan package will provide \$48.1 million in additional liquidity after some loan proceeds are used to refinance letters of credit and cover other costs.

MISCELLANEOUS

BNA DAILY ENVIRONMENT REPORT

Preproduction Wells Are Unexpected Methane Source, Study Finds Detection of methane at

levels far higher than expected above seven Pennsylvania shale gas wells prior to hydraulic fracturing illustrates the need for improved measurement methods, according to a new study. The study by researchers from Purdue and Cornell universities using a specially equipped airplane finds high levels of methane emissions from wells at a period when it was assumed that little leakage would occur.

Insights: Preemption of State Emissions Torts in Clean Air Act Litigation An emerging area of litigation on whether the federal Clean Air Act preempts state tort claims is raising issues in lawsuits filed against stationary sources of emissions. Judges are considering whether amorphous common-law standards conflict with the highly prescriptive, technical regulations promulgated by the EPA and state regulators charged with implementing the CAA, attorneys Justin A. Savage and Madeline Fleisher of Hogan Lovells write.

EPA Plans Forum to Discuss Implications of Wastewater Blending The EPA plans to hold a public forum in June to discuss the public health implications of allowing discharges of blended wastewater into U.S. waters during torrential downpours. The EPA seeks nominations of public health experts to participate in the forum, as well as specialists in wastewater treatment plant design and operation to advise forum participants.

GREENWIRE

4.6M children attend class near large chemical plants -- report Millions of U.S. children attend almost 10,000 schools that are within 1 mile of a large chemical facility, according to a report released yesterday by the advocacy group Center for Effective Government. The group produced an online map showing the locations of plants that are required to report to U.S. EPA's Risk Management Program and that are near schools. It found about 4.6 million children -- 10 percent of all school-age children in the country -- attend classes near the facilities. The map allows users to search for specific schools and zoom in on local areas. The findings are "deeply troubling," the group's president and CEO, Katherine McFate, said in a statement. "Minority and low-income kids bear the greatest risks, but no one is immune from this danger," McFate said. The group said most of the children attending schools near chemical facilities are in California, Texas and Illinois, though about a third of children in North Dakota, Iowa and Nebraska attend a school within a mile of a chemical plant. The Center for Effective Government and other safety groups have sought to highlight schools as a way to build support for greater regulation of chemical facilities. In West, Texas, the West Fertilizer Co. storage facility that exploded one year ago today was adjacent to a middle school that was not in session at the time. Campus buildings were heavily damaged and remain unoccupied. A nearby nursing home and apartment complex were also damaged in the blast.

COAL ASH: N.C. proposes management plan as states boost scrutiny following Dan River spill North Carolina's Republican Gov. Pat McCrory yesterday proposed draft legislation to boost regulatory oversight of the state's coal combustion waste dumps. The move comes as several states increase their scrutiny of coal ash dumps after the spill earlier this year from a Duke

Energy Corp. impoundment in northern North Carolina, which sent more than 30,000 tons of ash into the Dan River. The draft plan by McCrory, a former Duke executive, would either convert or close all of the state's ash ponds. "Since taking office in January 2013, my administration has discovered a number of long-standing shortcomings in state law that hamper our ability to adequately protect public health and the environment in addition to dealing with emergencies when they happen," McCrory said in a statement yesterday. The plan, which the governor billed as an effort to close loopholes and enhance safety protections, would tighten incident notification requirements and increase inspections. The governor's plan, about 16 pages in length, would also add requirements for using coal ash as structural fill in large-scale projects.

Greens go back to court to speed cooling water intake rule Environmental groups are taking U.S. EPA back to court in a bid to push the agency into finalizing a cooling water intake rule that the regulator failed to release today after five deadline extensions. In a court filing yesterday, EPA said it is "very close to completing" the rule and needs an additional 29 days to finish it. But environmental groups say that there has been "no reliability" to EPA's predictions and that they plan to return to federal court to press the judge to issue a mandatory deadline for the rule to be finalized. At issue is a rule aimed at reducing the number of aquatic organisms that get sucked into cooling water intakes and killed by being pinned against screens -- called "impingement" -- or boiled in extremely hot water -- called "entrainment." It has been decades in the making. An original rule EPA issued in the 1970s was remanded by a court, and after several lawsuits from environmental groups led by Riverkeeper Inc., the agency reached a settlement agreement that initially required the rule to be finalized in 2012. That deadline was extended multiple times.

AIR POLLUTION: Study outlines minorities' dramatically higher exposure to NO2 Americans of color are exposed to 38 percent more nitrogen dioxide (NO2) outdoor air pollution than white people, according to a new study that finds the differences persist even among income levels. Exposure to sustained amounts of NO2 can bring serious health effects, like asthma attacks, and can help cause heart attacks. Whites lived in areas that had an average NO2 concentration of 9.9 parts per billion, while Hispanics were at levels of 15.6 ppb, blacks at 13.3 ppb and Asians at 16.5 ppb. The study, from researchers at the University of Minnesota and published this week in the journal *PLOS ONE*, examined census data, U.S. EPA air monitor station data, and information from satellites and land-use and population density surveys to match up where people live with how much pollution they breathe in. Julian Marshall, an environmental engineering professor at the University of Minnesota who led the study, conceded that "there's no death certificate that says, 'Cause of death: air pollution,'" but said it's well-known that certain diseases are exacerbated by air pollution. "If you elevate those rates by even a few percent, that's a lot of people."